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| 10/705,199 | 11/12/2003 | David J.P. Baar | 198821-388249 | 2923 |
| 27155 7590 07/27/2007 MCCARTHY TETRAULT LLP BOX 48, SUITE 4700, 66WELLINGTON STREET WEST TORONTO, ON M5K 1E6 CANADA | | | EXAMINER DEBNATH, SUMAN | |
| | | | ART UNIT 2135 | PAPER NUMBER |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/705,199 | BAAR, DAVID J.P. | |
| | Examiner | Art Unit | |
| | Suman Debnath | 2135 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 April 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-20 are pending in this application.
2. Claims 4, 14-17 are presently amended in the amendment filed 18 April 2007.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office Action.

Claim Rejections - 35 USC § 103

4. Claims 1-4, 7-16 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brew et al. (Pub. No.: US 2003/0196114 A1), hereinafter "Brew" in view of Mullet et al. (Patent Number: 5,638,523), hereinafter Mullet.
5. As to claim 1, Brew discloses a method for controlling access to secured information presented on a display (FIG. 10), comprising: determining whether a user is authorized to access said secured information ([0085], lines 5-7 and [0086], lines 5-7); and, in response to said determining, provide said user with said secured information on said display ([0086], lines 9-13, FIG. 4, [0051], lines 1-4).

Brew doesn't explicitly disclose a method for a predetermined region of a computer generated original image presented on a display, comprising: distorting said original image to produce a distorted region for said predetermined region. However, Mullet discloses a method for a predetermined region (FIG. 3a) of a computer generated original image presented on a display (FIG. 1, item 21, FIG. 3a), comprising: distorting said original image (FIG. 3a, column 5, lines 63-67, "magnifying") to produce a

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distorted region (FIG. 3, item 13) for said predetermined region (column 5, lines 58-67, Mullet teaches of distorting a predetermined region by choosing an area to view in detail within the image map, i.e. FIG. 3a, item 13).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Brew by distorting an original image to produce a distorted region for a predetermined region as taught by Mullet in order to "provide an intuitive browsing tool for browsing through information displayed on graphical screen (Mullet, column 1, lines 60-63)."

6. As to claim 2, Brew discloses a method further comprising, a response to said determining ([0086], lines 9-13, FIG. 4, [0051], lines 1-4). Brew doesn't explicitly disclose uncovering a distorted region. However, Mullet discloses a method for uncovering a distorted region (FIG. 3a, column 5, lines 63-67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Brew by uncovering a distorted region as taught by Mullet in order to "provide an intuitive browsing tool for browsing through information displayed on graphical screen (Mullet, column 1, lines 60-63)."

7. As to claim 3, Brew discloses the method wherein said determining further comprises receiving authentication information from said user ([0085], lines 11-12) and comparing said authentication information to stored authentication information for said user (FIG. 10, [0085], lines 5-7 and lines 11-15).

8. As to claim 4, Brew discloses the method wherein said authentication information includes at least one of a user identification number and a password ([0085], lines 11-12).

9. As to claim 7, Brew doesn't explicitly disclose the method of receiving a signal from said user to select said predetermined region. However, Mullet discloses the method of receiving a signal from said user to select said predetermined region (column 4, lines 41-43).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Brew by creating a method of receiving a signal from said user to select said predetermined region as taught by Mullet in order to "provide an intuitive browsing tool for browsing though information displayed on graphical screen (Mullet, column 1, lines 60-63)."

10. As to claim 8, Brew doesn't explicitly disclose the method wherein said signal is generated by moving a cursor on said display with a pointing device. However, Mullet discloses the method wherein said signal is generated by moving a cursor on said display with a pointing device (column 4, lines 41-43, "cursor control device").

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Brew by creating a method of receiving a signal from said user to select said predetermined region with a pointing

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device as taught by Mullet in order to "provide an intuitive browsing tool for browsing though information displayed on graphical screen (Mullet, column 1, lines 60-63)."

11. As to claim 9, Brew doesn't disclose the method wherein said pointing device is a mouse. However, Mullet discloses the method wherein said pointing device is a mouse (column 8, lines 60-63).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Brew by creating a method of receiving a signal from said user to select said predetermined region with a mouse as taught by Mullet in order to "provide an intuitive browsing tool for browsing though information displayed on graphical screen (Mullet, column 1, lines 60-63)."

12. As to claim 10, Brew discloses the information is secured information ([0086], lines 9-13). Brew doesn't explicitly disclose information that is detailed information. However, Mullet discloses information that is detailed information (column 5, lines 63-67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Brew by creating a method of displaying secured information in detailed view as taught by Mullet in order to "provide an intuitive browsing tool for browsing though information displayed on graphical screen (Mullet, column 1, lines 60-63)."

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13. As to claim 11, Brew doesn't explicitly disclose the method wherein said detailed information is a magnified image. However, Mullet discloses the method wherein said detailed information is a magnified image (column 5, lines 63-67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Brew by creating a method of displaying secured information in detailed using magnified image as taught by Mullet in order to "provide an intuitive browsing tool for browsing though information displayed on graphical screen (Mullet, column 1, lines 60-63)."

14. As to claim 12, Brew discloses the method wherein said secured information is encrypted information ([0057], lines 1-7).

15. As to claim 13, Brew discloses a method comprises decrypting said encrypted information ([0098]). Brew doesn't explicitly disclose a method for distorting information. However, Mullet discloses a method for distorting information (FIG. 3a, column 5, lines 63-67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Brew by creating a method for distorting information as taught by Mullet in order to "provide an intuitive browsing tool for browsing though information displayed on graphical screen (Mullet, column 1, lines 60-63)."

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16. As to claim 14, Brew doesn't explicitly disclose a method wherein the original image includes at least one of a graphic image, a photographic image, and a text image. However Mullet discloses a method wherein the original image includes a graphic image (FIG. 3a), a photographic image (FIG. 7), and a text image (FIG. 4b).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Brew by creating a method wherein said original image includes at least one of a graphic image, a photographic image, and a text image as taught by Mullet in order to "provide an intuitive browsing tool for browsing though information displayed on graphical screen (Mullet, column 1, lines 60-63)."

17. As to claim 15, Brew doesn't explicitly disclose wherein said distorting further includes applying a distortion function to said original image to produce said distorted region by displacing said original image onto said distortion function and projecting said displaced original image onto a plane. However, Mullet disclose wherein said distorting further includes applying a distortion function to said original image to produce said distorted region by displacing said original image onto said distortion function and projecting said displaced original image onto a plane. (FIG. 2a, column 4, lines 20-24, column 5, lines 8-17, FIG. 3a).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Brew as taught by Mullet in

order to "provide an intuitive browsing tool for browsing though information displayed on graphical screen (Mullet, column 1, lines 60-63)."

18. As to claim 16, Brew doesn't explicitly disclose wherein said applying further includes displaying a graphical user interface ("GUI") over said distorted region for receiving one or more signals for adjusting said distortion function. However, Mullet discloses wherein said applying further includes displaying a graphical user interface ("GUI") over said distorted region for receiving one or more signals for adjusting said distortion function. (column 1, lines 65-67, FIG. 3a, FIG. 7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Brew as taught by Mullet in order to "provide an intuitive browsing tool for browsing though information displayed on graphical screen (Mullet, column 1, lines 60-63)."

19. As to claim 20, Brew disclose a method for accessing information presented on a display (FIG. 10), comprising: determining whether a user is authorized to access said information ([0085], lines 5-7 and [0086], lines 5-7); and, in response to said determining, to provide said user with said information on said display ([0086], lines 9-13, FIG. 4, [0051], lines 1-4).

Brew doesn't explicitly disclose a method for accessing detailed information for a predetermined region, comprising: distorting said original image to produce a distorted region for said predetermined region of a computer generated original image to provide

said user with said detailed information. However, Mullet discloses a method for accessing detailed information for a predetermined region (FIG. 3A), comprising: distorting said original image (FIG. 3a, column 5, lines 63-67, "magnifying") to produce a distorted region (FIG. 3, item 13) for said predetermined region of a computer generated original image (column 5, lines 58-67, Mullet teaches of distorting a predetermined region by choosing an area to view in detail within the image map, i.e. FIG. 3a, item 13) to provide said user with said detailed information (FIG. 3a, item 13).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Brew by distorting an original image to produce a distorted region for a predetermined region to provide detailed information as taught by Mullet in order to "efficiently browse though the information displayed on the screen (Mullet, column 1, lines 57-58)". Furthermore, one would be motivated to do so to "provide an intuitive browsing tool for browsing though information displayed on graphical screen (Mullet, column 1, lines 60-63)."

20. Claims 5-6 and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brew in view of Mullet in further view of Foley et al. (Pub. No.: US 2002/0087894 A1).

21. As to claims 5 and 6, neither Brew nor Mullet disclose receiving authentication information through a dialog box. However, Foley discloses a method of receiving authentication information through a dialog box ([0026], lines 5-7).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Brew and Mullet by receiving authentication information through a dialog box as taught by Foley in order to provide a authentication system with "improved security and minimal overhead for users and merchants (Foley, [0009])". Furthermore, one would be motivated to do so to "integrate a system with various smart cards and internet web pages and other services by various card issuers and merchants. (Foley, [0009])"

22. As to claim 18, neither Brew nor Mullet disclose the authentication information is biometric information. However, Foley discloses the authentication information is biometric information ([0026], lines 21-23).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Brew and Mullet by including biometric information as part of authentication information as taught by Foley in order to provide a authentication system with "improved security and minimal overhead for users and merchants (Foley, [0009])". Furthermore, one would be motivated to do so to "integrate a system with various smart cards and internet web pages and other services by various card issuers and merchants. (Foley, [0009])"

23. As to claim 19, neither Brew nor Mullet disclose the method wherein said biometric information includes fingerprint, iris pattern, voice pattern, and DNA pattern information. However, Foley discloses the method wherein said biometric information

includes fingerprint, iris pattern, voice pattern, and DNA pattern information ([0026], lines 21-27).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Brew and Mullet by including biometric information as part of authentication information as taught by Foley in order to provide a authentication system with "improved security and minimal overhead for users and merchants (Foley, [0009])". Furthermore, one would be motivated to do so to "integrate a system with various smart cards and internet web pages and other services by various card issuers and merchants. (Foley, [0009])"

24. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brew in view of Mullet in further view of Robertson et al. (Patent Number: 5,670,984).

25. As to claim 17, Brew doesn't explicitly disclose the method wherein said distortion function includes a focal region having a magnification for said predetermined region at least partially surrounded by a shoulder region where said magnification decreases to that of said original image to provide context for said predetermined region with respect to said original image, and said GUI is for adjusting at least one of: said magnification; a concavity of said shoulder region; an extent for said focal region; an extent for said shoulder region; a location for said distortion function within said original image; a location for an outline of said shoulder region within said original image; and,

a location for said focal region relative to said shoulder region to define a degree and a direction of a folding of said distortion function.

However, Mullet discloses the method wherein said distortion function includes a focal region having a magnification for said predetermined region at least partially surrounded by a shoulder region where said magnification decreases to that of said original image to provide context for said predetermined region with respect to said original image (column 4, lines 20-26), and said GUI is for adjusting at least one of: said magnification (column 5, lines 10-13); a concavity of said shoulder region (column 5, lines 8-17); a location for said distortion function within said original image (column 6, lines 20-22); a location for an outline of said shoulder region within said original image (column 4, lines 23-24, "crosshair");

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Brew as taught by Mullet in order to "provide an intuitive browsing tool for browsing though information displayed on graphical screen (Mullet, column 1, lines 60-63)."

Neither Brew nor Mullet explicitly disclose an extent for said focal region; an extent for said shoulder region; and, a location for said focal region relative to said shoulder region to define a degree and a direction of a folding of said distortion function.

However, Robertson discloses an extent for said focal region (column 6, lines 35-45); an extent for said shoulder region (column 6, lines 35-45); and, a location for said focal region relative to said shoulder region to define a degree and a direction of a

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folding of said distortion function (column 6, lines 35-45, which describes viewpoint V can be adjusted).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Brew and Mullet as taught by Robertson in order to provide "a system that made quicker by generating and combining all the necessary transforms, and then rendering the objects of the full image through the combined transform (Robertson, column 4, lines 42-46)."

Response to Arguments

26. Applicant's argument filed 18 April 2007, have been fully considered but they are not persuasive.

In response to applicant's argument that Brew is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Brew discloses whether a user is authorized to access secured information ("the client 202 for authorization to access protected content" –e.g. see [0086]); and, in response to determining, provides the user with the secured information on the display ("determines whether the client 202 (or the user associated with client 202) is authorized to access the protected content" – e.g. see, [0086], lines 9-13).

In response to applicant's argument that "in order to combine Brew and Mullet, there must be some suggestion in Brew that would motivate one to combine Mullet with it," the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, motivation for the rejections is found both in the knowledge generally available to one of ordinary skill in the art and in the cited references.

Furthermore, Mullet teaches a method for a predetermined region (FIG. 3a) of a computer generated original image presented on a display (FIG. 1, item 21, FIG. 3a), comprising: distorting said original image (FIG. 3a, column 5, lines 63-67, "magnifying") to produce a distorted region (FIG. 3, item 13) for said predetermined region (column 5, lines 58-67, Mullet teaches of distorting a predetermined region by choosing an area to view in detail within the image map, i.e. FIG. 3a, item 13). Brew teaches determining whether a user is authorized to access said secured information ([0085] and [0086]); and, in response to said determining, provide said user with said secured information on said display ([0086], [0051]).

In response to applicant's argument, "Mullet does not distort the original image to provide a distorted region. Rather, Mullet provides simple magnification" Examiner maintains that Mullet teaches distorting original image (FIG. 3a, column 5, lines 63-67).

Furthermore, the word "distort" as defined in the Webster's New World Dictionary, Third College Edition, "change the usual or normal shape, form, or appearance". Thus by enlarging or reducing (i.e., "magnification"), it will change the appearance of the original image.

In response to applicant's argument, "...the Examiner has not established the required motivation for combining Mullet (and Brew) and Robertson," the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, motivation for the rejections is found both in the knowledge generally available to one of ordinary skill in the art and in the cited references.

The rejections of claims 1-20 under 35 U.S.C. 103 are maintained. These rejections are maintained because the amendments neither overcome the rejections nor necessitate citation of additional prior art references.

Conclusion

27. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

28. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Suman Debnath whose telephone number is 571 270 1256. The examiner can normally be reached on 8 am to 5 pm.

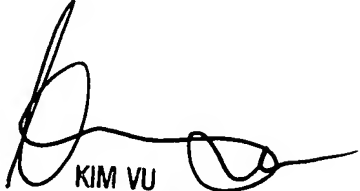
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on 571 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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SD


KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100